

Effective 5/10/2016

Part 19
Dropout Prevention and Recovery

53A-15-1901 Title.

This part is known as "Dropout Prevention and Recovery."

Enacted by Chapter 320, 2016 General Session

53A-15-1902 Definitions.

As used in this part:

- (1) "Attainment goal" means earning:
 - (a) a high school diploma;
 - (b) a Utah High School Completion Diploma, as defined in State Board of Education rule;
 - (c) an Adult Education Secondary Diploma, as defined in State Board of Education rule; or
 - (d) an employer-recognized, industry-based certificate that is:
 - (i) likely to result in job placement; and
 - (ii) included in the State Board of Education's approved career and technical education industry certification list.
- (2) "Cohort" means a group of students, defined by the year in which the group enters grade 9.
- (3) "Designated student" means a student:
 - (a)
 - (i) who has withdrawn from an LEA before earning a diploma;
 - (ii) who has been dropped from average daily membership; and
 - (iii) whose cohort has not yet graduated; or
 - (b) who is at risk of meeting the criteria described in Subsection (3)(a), as determined by the student's LEA, using risk factors defined in rules made by the State Board of Education in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (4) "Graduation rate" means:
 - (a) for a school district or a charter school that includes grade 12, the graduation rate calculated by the State Board of Education for federal accountability and reporting purposes; or
 - (b) for a charter school that does not include grade 12, a proxy graduation rate defined in rules made by the State Board of Education in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (5) "Local education agency" or "LEA" means a school district or charter school that serves students in grade 9, 10, 11, or 12.
- (6) "Nontraditional program" means a program, as defined in rules made by the State Board of Education under Subsection 53A-1-402(1)(e), in which a student receives instruction through:
 - (a) distance learning;
 - (b) online learning;
 - (c) blended learning; or
 - (d) competency-based learning.
- (7) "Statewide graduation rate" means:
 - (a) for a school district or a charter school that includes grade 12, the statewide graduation rate, as annually calculated by the State Board of Education; or
 - (b) for a charter school that does not include grade 12, the average graduation rate for all charter schools that do not include grade 12.

(8) "Third party" means:

- (a) a private provider; or
- (b) an LEA that does not meet the criteria described in Subsection 53A-15-1903(3).

Enacted by Chapter 320, 2016 General Session

53A-15-1903 Dropout prevention and recovery -- Flexible enrollment options -- Contracting -- Reporting.

(1)

(a) Subject to Subsection (1)(b), an LEA shall provide dropout prevention and recovery services to a designated student, including:

- (i) engaging with or attempting to recover a designated student;
- (ii) developing a learning plan, in consultation with a designated student, to identify:
 - (A) barriers to regular school attendance and achievement;
 - (B) an attainment goal; and
 - (C) a means for achieving the attainment goal through enrollment in one or more of the programs described in Subsection (2);
- (iii) monitoring a designated student's progress toward reaching the designated student's attainment goal; and
- (iv) providing tiered interventions for a designated student who is not making progress toward reaching the student's attainment goal.

(b) An LEA shall provide the dropout prevention and recovery services described in Subsection (1)(a):

- (i) throughout the calendar year; and
- (ii) except as provided in Subsection (1)(c)(i), for each designated student who becomes a designated student while enrolled in the LEA.

(c)

- (i) A designated student's school district of residence shall provide dropout recovery services if the designated student:
 - (A) was enrolled in a charter school that does not include grade 12; and
 - (B) becomes a designated student in the summer after the student completes academic instruction at the charter school through the maximum grade level the charter school is eligible to serve under the charter school's charter agreement as described in Section 53A-1a-508.
- (ii) In accordance with Subsection (1)(c)(iii), a charter school that does not include grade 12 shall notify each of the charter school's student's district of residence, as determined under Section 53A-2-201, when the student completes academic instruction at the charter school as described in Subsection (1)(c)(i)(B).
- (iii) The notification described in Subsection (1)(c)(ii) shall include the student's name, contact information, and student identification number.

(2)

(a) An LEA shall provide flexible enrollment options for a designated student that:

- (i) are tailored to the designated student's learning plan developed under Subsection (1)(a)(ii); and
- (ii) include two or more of the following:
 - (A) enrollment in the LEA in a traditional program;
 - (B) enrollment in the LEA in a nontraditional program;

- (C) enrollment in a program offered by a private provider that has entered into a contract with the LEA to provide educational services; or
- (D) enrollment in a program offered by another LEA.
- (b) A designated student may enroll in:
 - (i) a program offered by the LEA under Subsection (2)(a), in accordance with this Title 53A, State System of Public Education, rules established by the State Board of Education, and policies established by the LEA;
 - (ii) the Electronic High School, in accordance with Part 10, Electronic High School Act; or
 - (iii) the Statewide Online Education Program, in accordance with Part 12, Statewide Online Education Program Act.
- (c) An LEA shall make the LEA's best effort to accommodate a designated student's choice of enrollment under Subsection (2)(b).
- (3) Beginning with the 2017-18 school year and except as provided in Subsection (4), an LEA shall enter into a contract with a third party to provide the dropout prevention and recovery services described in Subsection (1)(a) for any school year in which the LEA meets the following criteria:
 - (a) the LEA's graduation rate is lower than the statewide graduation rate; and
 - (b)
 - (i) the LEA's graduation rate has not increased by at least 1% on average over the previous three school years; or
 - (ii) during the previous calendar year, at least 10% of the LEA's designated students have not:
 - (A) reached the students' attainment goals; or
 - (B) made a year's worth of progress toward the students' attainment goals.
- (4) An LEA that is in the LEA's first three years of operation is not subject to the requirement described in Subsection (3).
- (5) An LEA described in Subsection (3) shall ensure that:
 - (a) a third party with whom the LEA enters into a contract under Subsection (3) has a demonstrated record of effectiveness engaging with and recovering designated students; and
 - (b) a contract with a third party requires the third party to:
 - (i) provide the services described in Subsection (1)(a); and
 - (ii) regularly report progress to the LEA.
- (6) An LEA shall annually submit a report to the State Board of Education on dropout prevention and recovery services provided under this section, including:
 - (a) the methods the LEA or third party uses to engage with or attempt to recover designated students under Subsection (1)(a)(i);
 - (b) the number of designated students who enroll in a program described in Subsection (2) as a result of the efforts described in Subsection (6)(a);
 - (c) the number of designated students who reach the designated students' attainment goals identified under Subsection (1)(a)(ii)(B); and
 - (d) funding allocated to provide dropout prevention and recovery services.
- (7) The State Board of Education shall:
 - (a) ensure that an LEA described in Subsection (3) contracts with a third party to provide dropout prevention and recovery services in accordance with Subsections (3) and (5); and
 - (b) on or before October 30, 2017, and each year thereafter, report to the Education Interim Committee on the provisions of this section, including a summary of the reports submitted under Subsection (6).

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